

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-RJK

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

_____ /

NOTICE OF APPEAL

Pursuant to Rule 4 of the Federal Rules of Appellate Procedure, Plaintiff CSX Transportation, Inc. (“CSX”) notes its appeal to the United States Court of Appeals for the Fourth Circuit from the final judgment in this case, which embraces, but is not limited to, the Judgment in a Civil Case filed on April 26, 2023, ECF No. 644; the Court’s Opinion and Order of January 3, 2023, granting Defendants’ motions for summary judgment in part, ECF No. 559; the Court’s Opinion and Order of January 27, 2023, granting the Defendants’ motions seeking dismissal of CSX’s federal antitrust injunctive relief claims, ECF No. 613; and the Court’s Opinion and Order of April 19, 2023, granting the Defendants’ motions seeking dismissal of the remaining state law claims for injunctive relief, ECF No. 643.

Dated: May 16, 2023

Respectfully submitted,

CSX TRANSPORTATION, INC.

By Counsel

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CERTIFICATE OF SERVICE

I certify that on this 16th day of May, 2023, a true and correct copy of the foregoing was served on all counsel of record via Notice of Electronic Filing by filing with the Court's CM/ECF system.

CSX TRANSPORTATION, INC.

By Counsel

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